

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

January 25, 2010

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 25th day of January 2010 at 9:00 a.m. in the Commissioners' Room of the Quay County Courthouse, Tucumcari, New Mexico for the purpose of taking care of any business that may come before them.

PRESENT & PRESIDING:

Franklin McCasland, Chairman
Robert Lopez, Member
Bill Curry, Member
Richard Primrose, County Manager
Veronica Marez, Chief Deputy Clerk

OTHERS PRESENT:

Larry Moore, Quay County Road Superintendent
Cheryl Simpson, Quay County Manager's Office
Donald Adams, Quay County Fire Marshall
Janie Murray, Quay County Assessor
Darla Munsell, CBDG Administrator
Joe Schallert, Quay County Sheriff
Tony Elebario, Quay County Detention Administrator
Catherine Bugg, KTNM
Jeanne Moralez, Presbyterian Medical Services
Bryan Rhinestine, DWI
Dean Missildine, Quay County Resident
David Tixier, Magnum Steel Inc.
Joye Young-Quay County Resident

The meeting was called to order by Chairman Franklin McCasland. Joe Schallert led the Pledge of Allegiance.

Chairman McCasland called the Public Hearing portion of the meeting to order for the purpose of 2010-2011 CDBG Planning Grant Application as to the County's 5-year Comprehensive Plan. Chairman asked if the public had any comments and none were made.

Chairman McCasland closed the Public Hearing.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the minutes from the January 11, 2010 regular meeting. MOTION carried with all members voting "aye".

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the agenda as presented. MOTION carried with all members voting "aye".

PUBLIC COMMENTS: Catherine Bugg, KTNM requested information as to the limited personnel matters on the agenda for Executive Session. Primrose informed Bugg that they are not required to inform the public the specific matters being discussed in Executive Session.

1. Darla Munsell, CDBG Administrator requested approval to proceed with the development of the 2010-2011 CDBG Planning Grant Application as to the County's 5 year Comprehensive Plan. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the CDBG Planning Grant Application. MOTION carried with all members voting "aye". A copy of said Grant Application is attached and made a part of these minutes.

Janie Murray, Quay County Assessor gave the NM Association of Counties Board of Directors' Report.

1. Letter to Governor Richardson thanking him for not transferring the money from the E911 fund to general fund.
2. NM Energy Economy's presented a petition to CAPP Greenhouse Emissions to the Board of Directors. The Board voted to fight against it because it could hurt State wide if this does go into affect. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to prepare and present a Resolution to the Environmental Department against the Capping of Emissions next meeting. MOTION carried with all members voting "aye"
3. NMAC received a memorandum from Steven Kopelman, General Counsel regarding the Elected Officials' salary increases. It also included several statutes and a state constitutional provision that address this issue.
4. Murray will not be attending the Board Meeting February 6, 2010 in Santa Fe, NM and is inquiring if anyone is interested in attending in her behalf. A Proxy is needed for anyone to attend in her behalf. Commissioner Curry agreed to go for Quay County.

Donald Adams, Quay County Fire Marshall. Requested approval applying for 2010 Porter Fire Protection Grant for the amount of \$11,478.80 MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the application for 2010 Fire Protection Grant in the amount of \$11,478.80. MOTION carried with all members voting "aye". A copy of said Grant is attached and made a part of these minutes.

Donald Adams received seven bids for the new Forrest Fire Station building. The bids ranged from \$83,000 to \$149,000. The lowest bid was received by Magnum Steel Buildings, Inc., however it was the recommendation of the Engineer and the County District Attorney to award the bid to the second lowest bidder, Usrey Enterprises. The bid from Magnum Steel Building Inc. did not meet the requirements and specifications as described in the RFP. David Tixier, Magnum Steel Building Inc. representative, was given the opportunity to address the Commissioners' regarding the bid submitted by his company. Following the discussion held between Commission and David Tixier. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the bid by Usrey Enterprises. MOTION carried with all members voting "aye"

Donald Adams requested approval of Disposal of Rural II Fire Equipment-1966 Ford 700 Truck. This truck is obsolete and no longer useful. A MOTION was made by Robert Lopez,

SECONDED by Bill Curry to approve the disposal of Rural II Fire equipment. MOTION carried with all members voting "aye"

Bryan Rinestine, DWI Program Coordinator

1. Requested approval of Resolution #44 authorizing the submission of the 2010-2011 DWI Grant Application. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve Resolution #44. MOTION carried with all members voting "aye". A copy of said Resolution #44 is attached and made a part of these minutes.
2. Requested approval of the DWI Program Memorandum of Understanding. . A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Memorandum of Understanding. MOTION carried with all members voting "aye". A copy of said Memorandum is attached and made a part of these minutes.
3. Requested approval of the DWI Program Statement of Assurances. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the Statement of Assurances. MOTION carried with all members voting "aye". A copy of said Statement of Assurances is attached and made a part of these minutes.
4. Requested approval of the DWI Program Assurances and Cooperative Agreement with the NM Department of Health. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Assurances and Cooperative Agreement. MOTION carried with all members voting "aye". A copy of said Agreement is attached and made a part of these minutes.
5. Requested approval of the DWI Financial Quarterly Report from 10/1/09 thru 12/31/09. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the DWI Financial Quarterly Report. MOTION carried with all members voting "aye". A copy of said Quarterly Report is attached and made a part of these minutes.
6. Requested approval of the DWI Statistics Quarterly Report from 10/1/09 thru 12/31/09. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the DWI Statistics Report. MOTION carried with all members voting "aye". A copy of said Quarterly Report is attached and made a part of these minutes.

Tony Elebario, Quay County Detention Center Administrator requested approval of Detention Center JPA with Mora, Lincoln, Colfax, Union, San Miquel and Sierra County. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Agreements with six counties. MOTION carried with all members voting "aye". A copy of said Agreements is attached and made a part of these minutes.

Chairman McCasland requested a five minute break. Time noted 9:55 a.m.

Return to regular session. Time noted 10:05 a.m.

Larry Moore, Quay County Road Superintendent gave the following report:

1. Running the Reclaimer on Quay Rd M.
2. Installing cattle guards and finish stripping caliche pit.

3. Louis is finishing blading & preparing roads.
4. Have been working on equipment and water truck is fixed and running.

Bill Humphries, Presbyterian Medical Services proposed improvements for Quay County Family Health Center Facility and requested approval for Phase I & II. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Phase I & II for Presbyterian Medical Services. MOTION carried with all members voting "aye".

Richard Primrose, Quay County Manager presented the following report:

1. Requested for approval to add Section 6.C.4 to the Quay County Personnel Policy. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve Section 6.C.4 to the Quay County Personnel Policy. MOTION carried with all members voting "aye". A copy of said Policy is attached and made a part of these minutes.
2. Requested approval of Grievance Board Election results. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the Grievance Board Election Results. MOTION carried with all members voting "aye". A copy of the Grievance Board results is attached and made a part of these minutes.
3. Requested approval of DFA Quarterly Reports from 10/1/09 thru 12/1/2009. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the DFA Quarterly Reports. MOTION carried with all members voting "aye". A copy of the DFA Quarterly report is attached and made a part of these minutes.
4. Requested approval of Memorandum of Agreement between The City of Tucumcari, Quay County and Ute Water Commission. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Memorandum of Agreement with Ute Water Commission. MOTION carried with all members voting "aye". A copy of the said Agreement is attached and made a part of these minutes.
5. The six fire loans applied for have been approved and funding can be requested as soon as the Departments are ready. Porter Fire Station has submitted their request for their loan proceeds for a Fire Truck.
6. Primrose thanked employees for dealing with the heat issue in the courthouse.

CHECKS WERE REVIEWED. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the expenditures as presented. MOTION carried with all members voting "aye". A copy of the expenditure report is attached and made a part of these minutes.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to go into session as the Indigent Claim Board. MOTION carried with all members voting "aye". Time noted 10:50a.m.

-----INDIGENT CLAIMS BOARD-----

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to come out of session as the Indigent Claim Board. MOTION carried with all members voting "aye". Time noted 10:55 a.m.

Return to regular session. Time noted 10:55 a.m.

Joe Schallert, Quay County Sheriff requested approval on December Statistics Report. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the December Statistics Report. MOTION carried with all members voting "aye". A copy of said Report is attached and made a part of these minutes.

UNDER OTHER BUSINESS: NONE

MOTION was made by Robert Lopez, SECONDED by Bill Curry, to go into Executive Session pursuant to Section 10-15-1(H)2 NMSA the New Mexico Open Meetings Act for limited personnel matters and pursuant to Section 10-15-1(H)7 NMSA the New Mexico Open Meetings Act to discuss pending litigation regarding Lee Stone vs. Board of County Commissioners. MOTION carried with Lopez voting "aye", Curry voting "aye" and McCasland voting "aye". Time noted 11:05 a.m.

-----EXECUTIVE SESSION-----

A MOTION was made by Robert Lopez, SECONDED by Bill Curry that pending or threatened litigation and limited personnel matters were discussed during Executive Session and no action was taken.. MOTION carried with Lopez voting "aye", Curry voting "aye" and McCasland voting "aye".

Return to regular session. Time noted 11:55 A.M.

There being no further business, a MOTION was made by Robert Lopez, SECONDED by Bill Curry to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for February 8, 2010, unless sooner called. MOTION carried with all members voting "aye". Time noted 12:00 p.m.

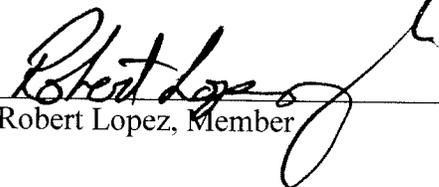
BOARD OF QUAY COUNTY COMMISSIONERS



Franklin D. McCasland, Chairman

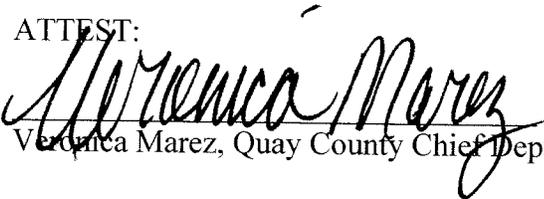


Bill Curry, Member



Robert Lopez, Member

ATTEST:



Veronica Marez, Quay County Chief Deputy County Clerk